

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

BORGWARNER INC., and BORGWARNER MORSE TEC INC.,  Plaintiffs,  v.  HILITE INTERNATIONAL, INC., AISIN SEIKI CO., LTD, and AISIN AUTOMOTIVE CASTING TENNESSEE, INC.  Defendants.	CIVIL ACTION NO. 07-C-3339  <b>The Honorable Mark Filip</b> <b>United States District Court Judge</b>  <b>Magistrate Judge Valdez</b>
---	---

**DEFENDANT HILITE INTERNATIONAL, INC.'S**  
**MOTION TO TRANSFER VENUE UNDER 28 U.S.C. § 1404(a)**

Defendant Hilite International, Inc. ("Hilite") hereby requests an order transferring this action to the United States District Court for the District of Delaware pursuant to 28 U.S.C. § 1404(a).

Defendants Aisin Seiki Co., Ltd and Aisin Automotive Casting Tennessee, Inc. (collectively "Aisin") recently filed a Motion to Transfer Venue under 28 U.S.C. § 1404(a) (Docket No. 32). As explained in that motion, the patent at issue in this case, U.S. Patent No. 5,497,738 ("the '738 patent"), was recently litigated in the District of Delaware ("the Prior Delaware Action"). In that action, Plaintiffs BorgWarner Inc. and BorgWarner Morse Tec Inc. (collectively "BorgWarner") asserted the '738 patent against Hitachi, Ltd.'s variable camshaft timing components.

During the twenty-six months the Prior Delaware Action was pending, the parties litigated numerous issues that would have resulted in the Delaware court obtaining detailed knowledge concerning the '738 patent. Because the Delaware court has had significant exposure

to issued involving the '738 patent and variable camshaft technology, and for other reasons set forth in Aisin's motion papers and in the Memorandum in Support of Hilite's Motion to Transfer filed herewith, Hilite requests an order transferring this case to the United States District Court for the District of Delaware for the sake of efficiency and economy.

Dated: November 16, 2007

Respectfully submitted,

s/ John M. Michalik

John M. Michalik  
State Bar No. 6280622  
jmichalik@jonesday.com  
JONES DAY  
77 West Wacker  
Chicago, IL 60601-1692  
Telephone: (312) 782-3939  
Facsimile: (312) 782-8585

*Of Counsel:*

Timothy J. O'Hearn (*pro hac vice* app. pending)  
tohearn@jonesday.com

Karl M. Maersch (*pro hac vice* app. pending)  
kmmaersch@jonesday.com

Peter D. Siddoway (*pro hac vice* app. pending)  
pdsiddoway@jonesday.com

JONES DAY

North Point

901 Lakeside Avenue

Cleveland, OH 44114-1190

Telephone: (216) 586-3939

Facsimile: (216) 579-0212

*Attorneys for Defendant  
Hilite International, Inc.*

CLI-1567043